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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 307th meeting
Held at Headquarters, New York, on Thursday, 14 February 2008, at 11 a.m.

Temporary Chairman: Mr. Nambiar (Under-Secretary-General and Chef de Cabinet to the Secretary-General)
Chairman: Mr. Badji ..... (Senegal)

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The meeting was called to order at 11.10 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Election of officers

2. **The Temporary Chairman** invited the Committee to consider nominations for the posts of Chairman, Vice-Chairmen and Rapporteur of the Committee.

3. **Mr. Habib Mansour** (Tunisia) said that the situation in the occupied Palestinian territories had deteriorated considerably in the recent past, particularly in the Gaza Strip. He called on all interested parties to make every effort to end the daily suffering of the Palestinian people.

4. He nominated Mr. Badji (Senegal) for re-election to the office of Chairman, Mr. Tanin (Afghanistan) and Mr. Malmierca Díaz (Cuba) for re-election to the two offices of Vice-Chairman, and Mr. Borg (Malta) for election to the office of Rapporteur.

5. **Mr. Zainuddin** (Malaysia) seconded the nominations.

6. *Mr. Badji (Senegal), Mr. Tanin (Afghanistan), Mr. Malmierca Díaz (Cuba) and Mr. Borg (Malta) were elected by acclamation.*

7. *Mr. Badji (Senegal) took the Chair.*

8. **Mr. Nambiar** (Under-Secretary-General and Chef de Cabinet to the Secretary-General), reading out a statement by the Secretary-General, said that recent positive developments on the diplomatic front provided some hope that a comprehensive, just and lasting peace in the Middle East could finally be reached. At the same time, the escalation of violence at the start of 2008 recalled the fragility of the situation on the ground.

9. The United Nations remained committed to the establishment of a sovereign and independent State of Palestine and a just and agreed solution to the refugee problem to allow all Palestinians to live in peace, dignity and security. It actively supported the process that had started at Annapolis in November 2007. The conference, attended by some 50 Governments, including key members of the Arab League, together with international organizations, had marked a new beginning for the Middle East peace process. The involvement of Arab States under the banner of the Arab Peace Initiative was crucial for the advancement of regional peace.

10. It was heartening that Palestinian Authority President Abbas and Israeli Prime Minister Olmert had begun regular discussions on the major issues. Meetings between their negotiating teams had also begun. The Quartet had agreed to meet regularly to review progress and provide support for the parties' efforts. It was also reassuring that the donors conference, held in Paris in December 2007, had reinforced broad international support for the renewed peace process. Eighty-seven Governments and international institutions had attended the conference, pledging well over $7 billion in assistance to the Palestinian Authority. They had also welcomed the Palestinian Reform and Development Plan presented by Palestinian Prime Minister Fayyad.

11. Success in bringing about improvements on the ground was urgently needed to bolster the political process. The Quartet representative, Mr. Blair, had thus embarked on the task of securing implementation of projects to support Palestinian economic revitalization — a crucial requirement for building a strong foundation for a future Palestinian State.

12. However, a number of events in 2008 had hindered progress. Israeli military operations in the West Bank and the Gaza Strip, Palestinian rocket and mortar attacks on southern Israel and settlement expansion, especially in and around East Jerusalem, had all had a negative effect on the renewed political process.

13. He had repeatedly condemned the firing of rockets at civilians by Palestinian groups. He had also made repeated calls against disproportionate action and for maximum restraint on the part of Israel in its military operations. It was the responsibility of all parties to adhere to their obligations under international humanitarian law and not to harm civilians.

14. The decision by Israel to introduce a full closure of the Gaza Strip had cut off an already destitute population of Gaza from vitally needed supplies. The recent breach of the border between Gaza and Egypt had shown the degree of desperation among ordinary Gazans, as thousands crossed into Egypt in search of food and basic daily necessities. He reminded Israel of its obligations towards the civilian population of Gaza

under international law, including the laws of occupation, which continued to apply to the extent of Israel's control over the territory and its population.

15. He supported the Palestinian Authority's proposal to operate the Gaza crossings. The international community must also help to restore the unity of the Gaza Strip and the West Bank within the legitimate framework of the Palestinian Authority. That was critical for a viable peace agreement. While a solution to the conflict must be worked out between the parties themselves, it was important for the international community to remain engaged and focused on its pledge to assist them in their quest for peace.

16. The United Nations, with some 20 agencies on the ground, would continue to fulfil its responsibility to assist and protect all persons affected by the conflict. He called on donors to follow through on their substantial commitments made in Paris. The Secretary-General's Special Coordinator for the Middle East Peace Process and Personal Representative to the Palestine Liberation Organization and the Palestinian Authority was working closely with the United Nations country team and developing programmes aimed at improving the dire living conditions of the Palestinian people.

17. The Secretary-General would continue to support the efforts of the President of the Palestinian Authority and Prime Minister of Israel, encouraging them to make tangible progress on all permanent status issues. He would work with his Quartet colleagues and regional partners to promote the implementation of the Road Map and to achieve peace and security for the State of Palestine and the State of Israel, in fulfilment of Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), as well as the Arab Peace Initiative.

18. He extended his gratitude to all Committee members for their important work and reiterated his full support for the mandate they were serving.

19. **The Chairman**, speaking as the representative of Senegal, said that in the light of the ongoing deterioration of living conditions in the occupied territories, the Committee's mandate — to ensure the exercise of the inalienable rights of the Palestinian people — was more relevant than ever before. That did not mean, however, that the situation should be addressed by working against the rights and interests of the Government of Israel, with which Senegal maintained diplomatic and cooperative relations based on mutual respect and trust. His Government therefore did not hesitate to urge Israel, the occupying Power, to consider seriously the daily suffering inflicted on Palestinians and to put an immediate end to their dire situation. Neither illegitimate force nor the policy of fait accompli could establish the rule of law or justify illegal occupation. It was worth mentioning such obvious facts given that some would wish to see the Committee abolished along with other bodies which addressed the question of Palestine within the United Nations.

20. Many obstacles to resolving the question of Palestine remained since the item was first introduced before the United Nations in 1947. Nevertheless, he continued to believe in the capacity of the Organization, above all the Security Council, whose silence and inaction were deplorable, to bring about a just and lasting solution to the conflict. He supported all the efforts of the Quartet to help the parties to find a peaceful resolution of the conflict through dialogue and negotiation. He therefore welcomed the process launched in Annapolis in November 2007 and hoped that it would lead to the establishment of a free, independent and sovereign Palestinian State, living in peace and security with the State of Israel within secure and recognized borders.

21. **Mr. Riyad Mansour** (Observer for Palestine) said that the Palestinian Government and people were struggling under difficult conditions to put an end to the Israeli occupation, establish their own State in all the areas occupied by Israel since 1967, with East Jerusalem as its capital, and find a just and negotiated solution to the refugee issue on the basis of General Assembly resolution 194 (III). He therefore conveyed his Government's appreciation for the work done by the Committee, the Secretary-General and others within the United Nations system to advance the cause of the Palestinian people.

22. The peace process launched at the Annapolis Conference and subsequent visit by the United States President to the Middle East and the successful donors conference in Paris had raised great hopes. Nevertheless, there was a need for a reality check. There was much to be accomplished for all the parties concerned — the United Nations, the Secretary-General, the Committee and others, in the current year. At Annapolis, his Government had been engaged in bilateral negotiations and final status issues with the

Israeli party. Regrettably, there had been no tangible signs of progress in the implementation of phase I of the Road Map since that conference.

23. None of the commitments undertaken by the Israeli Government to implement the Road Map had been fulfilled. There had been an increase in settlement activity, ongoing restriction of movement of Palestinians living in the West Bank with some 600 checkpoints, the continued holding of some 12,000 Palestinian prisoners and the tragedy of Gaza. Meanwhile, his Government was doing its utmost to meet its commitments under the Road Map.

24. The current situation was alarming and urgent steps were needed to save the peace process and avoid another failure. The Secretary-General and his team must make every effort to prevent the marginalization of the Quartet. He must request, through the Quartet, particularly the United States representative, a report on the implementation of the Road Map and violations of commitments undertaken. The international community must show that the peace process launched at Annapolis was producing positive results.

25. His delegation was grateful for the $7.7 billion earmarked for institution-building which had been pledged at the donors conference in Paris. He wondered, however, how institutions could be built when Gazans were under total sanctions and the situation there was so bleak, when people and goods could not move in the West Bank and when settlements in and around East Jerusalem and elsewhere continued to grow. In essence, the Israeli party was sabotaging all the positive achievements made in Paris. All parties must therefore step up efforts to restore the peace process before it was too late.

Update on developments since the previous meeting of the Committee

26. **The Chairman** took note of several positive developments relating to the Joint Understanding reached by Palestinian Authority President Abbas and Israeli Prime Minister Ehud Olmert at the Annapolis Conference held on 27 November 2007. On 30 November 2007, the Bureau of the Committee had issued a statement welcoming that Joint Understanding (GA/PAL/1070) and on 4 December 2007, the Secretary-General had appointed Mr. Robert H. Serry of the Netherlands, who was his Envoy to the Quartet, as United Nations Special Coordinator for the Middle East Peace Process and his Personal Representative to the Palestine Liberation Organization and the Palestinian Authority. Israeli-Palestinian negotiations had been opened formally in Jerusalem at a meeting of the joint steering committee headed by Israeli Foreign Minister Tzipi Livni and Palestinian Chief Negotiator Ahmed Qureia on 12 December 2007, and Palestinian Authority President Abbas and Israeli Prime Minister Olmert, meeting on 27 December 2007 for the first time since the Annapolis Conference, and again on 8 January 2008, had both authorized their teams to conduct "direct and ongoing negotiations" on all core issues. Also in January 2008, United States President George Bush had visited the region and met with President Abbas and key Palestinian officials in Ramallah.

27. In the area of international assistance, on 17 December 2007, over $7 billion had been pledged at a one-day international donors' conference attended by 87 countries in Paris, France. On that occasion, Prime Minister Fayyad had unveiled the Palestinian Reform and Development Plan. On 18 December 2007, the Quartet had issued a statement reaffirming the importance of Palestinian economic and institutional capacity-building, expressing concern over the announcement of new housing tenders for Har Homa/Jabal Abu Ghneim in East Jerusalem, condemning the continued rocket fire from Gaza into Israel and reiterating its deep concern over the humanitarian conditions in the Gaza Strip. On 21 December 2007, the Security Council had issued a press statement welcoming the Paris donor conference, urging the rapid disbursement of pledges and issuing an appeal for assistance in developing the Palestinian economy and in Palestinian institution-building (SC/9216-PAL/2097), and on 5 February 2008, the Mécanisme Palestino-Européen de Gestion et d'Aide Socio-Economique (PEGASE), the new instrument for channelling development assistance to the Occupied Palestinian Territory, had issued its first payment to Palestinian civil servants in the amount of 22 million euros.

28. On the other hand, the Security Council had failed to agree on a draft Presidential Statement at its meeting held at the request of the Arab Group on 22 January 2008 to discuss the humanitarian crisis in Gaza. On 4 February 2008, the Bureau of the Committee had issued a statement expressing its regret at the Security Council's failure to act in response to

the situation in the Occupied Palestinian Territory and its alarm over Israeli activities that undermined the Joint Understanding achieved at Annapolis (GA/PAL/1071).

Draft programme of work of the Committee (A/AC.183/2007/CRP.1)

29. **The Chairman** introduced the draft programme of work of the Committee (A/AC.183/2007/CRP.1).

30. *The draft programme of work was adopted.*

United Nations Seminar on Assistance to the Palestinian People, Amman, 19 and 20 February 2008 (Working Paper No. 1)

31. **The Chairman** drew attention to the provisional programme of the United Nations Seminar on Assistance to the Palestinian People, Amman, 19 and 20 February 2008, contained in Working Paper No. 1. The goal of the seminar was to build on the positive momentum created by the Annapolis Conference. Invitations had been sent to internationally renowned experts, including Israelis and Palestinians, United Nations representatives and observers, parliamentarians, representatives of the United Nations system, other intergovernmental organizations, and representatives of civil society.

32. *The provisional programme of the United Nations Seminar on Assistance to the Palestinian People, Amman, 19 and 20 February 2008, was adopted.*

Statement by the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

33. **Mr. Whitley** (United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)) said that the current situation in the Occupied Palestinian Territory was a man-made crisis that was not accidental. Over the preceding two years, hundreds of Palestinian children had been killed or injured by the Israel Defense Forces (IDF). Several dozen had also been killed or injured by Palestinian factional fighting and a small number of Israeli children had been victims of attacks by Palestinian militant groups. However, the vast majority of the casualties had been the result of lax rules of engagement by the IDF and lack of accountability for civilian casualties. In the period since the Annapolis Conference, the casualty rate had been rising. The ratio of Palestinian to Israeli casualties during that period had been 45 to 1.

34. The blockade imposed against the Gaza Strip, while unlikely to achieve the stated goals of its proponents, was setting the stage for a major humanitarian crisis to erupt by making the delivery of aid increasingly difficult. Continued dependence of the territory on international assistance was in any case unsustainable and would only breed despair and extremism. Only a ceasefire, including an end to both the Qassam rocket attacks and IDF raids into areas under the control of the Palestinian Authority, combined with a reopening of all the Gaza crossings under the supervision of the Palestinian Authority, could allow for the free movement of people and goods that was a prerequisite for the establishment of a viable Palestinian State.

35. **The Chairman** said that the Committee would take steps to mobilize the international donor community against the siege in the Occupied Palestinian Territory.

The meeting rose at 12.42 p.m.